

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Agriculture Department – Disciplinary action initiated against Sri M.Ananda Babu, former Agricultural Officer, I/C MDO., B.Koduru, Mylavaram, Kadapa District –presently working as ADA @, Nagari Division, Chittoor District u/r 20 of A.P.C.S. (CC&A) Rules, 1991 – Penalty imposed by the Government – O.A. filed against penalty before APAT, Hyderabad – O.A. disposed off – Appeal filed by Sri M.Ananda Babu, Asst. Director of Agriculture – Examined the appeal – Rejected – Orders – Issued.

AGRICULTURE AND COOPERATION (VIG.I) DEPARTMENT

G.O.Rt.No: 1499

Dated: 16-12-2009.

Read the following:-

1. From the Dist. Collector, Kadapa D.O.Rc.No.4404/N4/92, dated 31-6-1992.
2. From the C&DA, Hyd Lr.No.Vig.IV(1)196/96, dated 13-7-2001.
3. Inquiry report from DDA, Kadapa (SC), dated 7-12-2000.
4. Govt.Memo.NO.10656/Vig.I(1)/2001-1, dated 30-7-2001.
5. From Sri M.Ananda Babu, former AO, I/c, MDO., B. Koduru, Kadapah District explanation dt. 3-11-2001.
6. Govt.Memo.NO.10656/Vig.I(1)/2001-11, dated 8-1-2004 and 19-5-2004.
7. From the Secretary, APPSC., Hyd. Lr.No. 88/RT-1/2004 dated 17-8-2004.
8. G.O.Rt.No.967, A&C (Vig.I) Dept., dated 11-9-2004.
9. Judgement dated 16-9-2009 of the APAT, Hyderabad in O.A.No.6124/2004.
10. From Sri M.Ananda Babu, former Agricultural Officer, I/C MDO., B.Koduru, Mylavaram, Kadapa District appeal/representation dated 29-9-2009.

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ORDER:

It has been brought to the notice of the Government that based on the preliminary report of the District Collector, Kadapa in the reference 2nd read above, the Commissioner & Director of Agriculture, Hyderabad has initiated disciplinary action against Sri M.Ananda Babu, former Agricultural Officer, I/C Mandal Development Officer, B.Koduru, Mylavaram, Kadapa District for the allegation of committing certain irregularities in purchase of furniture & stationery articles and misappropriated the Government funds to the tune of Rs.5.07 lakhs. The Charged Officer submitted his written statement of defence. The Commissioner & Director of Agriculture, Hyderabad has appointed Deputy Director of Agriculture (SC), Kadapa as Inquiry Officer. The Inquiry Officer has conducted a regular inquiry and submitted the Inquiry Report stating that the Charged Officer has not followed the procedure in purchase of furniture and stationery articles and held that the charge framed against the Charged Officer is proved. After examining the Inquiry Report the Commissioner & Director of Agriculture, Hyderabad has concluded to award the punishment of dismissal from service besides recovery of Rs.4,62,825/- on the Charged Officer and sent the proposals to Government as Government is the competent authority.

2. After examining in the matter Government have communicated the a copy of Inquiry report to the Charged Officer and directed to submit his representation if any on the Inquiry Officer's findings. The Charged Officer has submitted his representation on the findings of the Inquiry Officer. Government after careful consideration of the representation, with reference to the records available, remarks of the Commissioner & Director of Agriculture, Hyderabad Government have observed that this is not a case of misappropriation of Government funds but one in the nature of serious financial irregularities in purchase of furniture and stationery beyond the competence and in total deviation from the prescribed procedure and Government orders in vogue at the time. The other two cases referred by the Charged Officer are different that then present case and in any case even if there were errors in judgment in the other two cases, it cannot be advanced as an excuse for viewing the present case. Taking into consideration the full facts and the circumstances of the case, that the punishment proposed by Commissioner & Director of Agriculture, Hyderabad is too harsh and after obtaining the concurrence of the Andhra Pradesh Public Service Commission Government had imposed the punishment of stoppage of two increments with cumulative effect on Sri M. Anand Babu, Mandal Agriculture Officer I/c, B. Kodur, Mylavaram, Cuddapah district vide reference 8th read above for the charges held proved.

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3. Aggrieved with the above, penalty the Charged Officer, has filed O.A.No. 6124/2004 before the Hon'ble APAT, against the Government orders. The Hon'ble APAT, in its judgment dt. 31-8-2009 has directed the applicant to make a representation to the Government for reconsideration and the respondents shall dispose of his representation within a period of 3 months, accordingly the O.A. was disposed off. As per the orders of the Hon'ble APAT, the individual has submitted his representation wherein he has stated that the punishment period of stoppage of two increments with cumulative effect was already completed. He was suffering humiliation like any thing for the last 17 years due to this case. He has purchased the material for the schools as per the resolution passed by the Mandal Praja Parishad. The material was there and being used in schools till today. There is neither misappropriation nor loss to the Government due to his action in implementing the resolution, only procedural irregularities might have been taken place for which he is not responsible as he was Agriculture Officer and only an in-charge Mandal Development Officer for a period of six months and requested to exonerate him from the article of charge leveled against him and to release stopped increments.

4. Government have examined the representation submitted by Sri M.Ananda Babu, former Agricultural Officer, I/C Mandal Development Officer, B.Koduru, Mylavaram, Kadapa District and observe that the Hon'ble APAT in its order has observed that there is no lacunae in the conduct of disciplinary proceedings. Further, Government have already reduced the punishment of stoppage of 2 annual grade increments with cumulative effect as against dismissal recommended by the Commissioner & Director of Agriculture, Hyderabad, and there are no new grounds to consider his present representation. Therefore, Government have decided to reject the representation submitted in the reference 10th read above by Sri M.Ananda Babu, former Agricultural Officer, I/C Mandal Development Officer, B.Koduru, Mylavaram, Kadapa District,

5. Government hereby reject the representation submitted by Sri M.Ananda Babu, former Agricultural Officer, I/C Mandal Development Officer, B.Koduru, Mylavaram, Kadapa District. Accordingly, the representation is disposed off.

6. The Commissioner & Director of Agriculture, Hyderabad, shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RACHEL CHATTERJEE
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

Sri M.Ananda Babu, former A.O., I/C MDO., B.Koduru,
Mylavaram, Kadapa District presently working ADA @, Nagari
division, Chittoor District (through C&DA., A.P., Hyderabad).

Copy to:

The Commissioner & Director of Agriculture, Hyderabad.
Sf/SC.

// FORWARDED BY ORDER //

SECTION OFFICER